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March 2, 2023

VIA ELECTRONIC MAIL

Honorable J. Paul Oetken
United States District Court
Southern District of New York
500 Pearl Street, Courtroom 20D
New York, New York 10007

Re: *Crespo v. Gutman, Mintz, Baker & Sonnenfeldt, LLP.*
Case No. 1:22-cv-6599-JPO

Your Honor:

The law firm of Rivkin, Radler LLP represents Defendants Gutman, Mintz, Baker & Sonnenfeldt, LLP, ("Gutman"), Gary Thigpen, ("Mr. Thigpen"), and Eric Keilbach, (Mr. Keilbach"), (collectively the "Gutman Defendants") in the above-captioned FDCPA action. Fact discovery is presently scheduled to conclude on March 15, 2022. The Gutman Defendants respectfully request a sixty-day extension of the fact discovery deadline, until May 15, 2022, and a similar extension of all other dates. Plaintiff consents to this request. This the first request for an extension of the deadline.

Substantial paper-discovery has been exchanged. The parties have cooperated in good faith to resolve certain discovery disputes concerning the Gutman Defendants' responses. Due to technical difficulties on the part of my Firm in producing certain documents such as emails in their native electronic format, there was a delay in producing the e-mails in native electronic format.

However, Plaintiff commenced the deposition of Defendant Thigpen on February 2, 2022. During this deposition, the Gutman Defendants moved pursuant Fed.R.Civ. P 30(d)(3) with regard to certain questions posed to Mr. Thigpen. Upon agreement of counsel, the deposition was ended and the Gutman filed their letter motion pursuant to Fed.R.Civ.P. 30(d)(3) on February 13, 2023. Plaintiff filed his opposition on February 15, 2023. The Court has not yet scheduled a conference to address the motion or ruled on the motion.

As a result, Mr. Thigpen's deposition has not been concluded. The deposition of Mr. Keilbach and the 30(b)(6) deposition of Defendant Gutman, (Mr. Keilbach will be the 30(b)(6) witness), has been scheduled but due to direct exposure by Mr. Keilbach to COVID, and then a medical issue involving the

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undersigned, neither of these two depositions proceeded. Given conflicts concerning the respective schedules of counsel, it will be difficult to schedule Mr. Keilbach's deposition within the next two to three weeks.

Additionally, Plaintiff has served an Amended Complaint naming Hilltop Management as a Defendant. Defendant Hilltop's Answer is due on March 9, 2023.

The Gutman Defendants respectfully submit that this sixty-day extension will allow for Plaintiff to orderly complete the depositions of the Gutman Defendants, for the Gutman Defendants to take the deposition of Plaintiff, for non-party depositions to be completed, and for discovery to be sought and received from Defendant Hilltop.

The Gutman Defendants believe that good cause has been shown for the granting of this request, on consent.

Very truly,

RIVKIN RADLER, LLP

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